

Atty. Dkt. No. 100201968-4

REMARKS

This Reply is in response to the Office Action mailed on December 8, 2005. Reconsideration and allowance of the pending claims is requested..

I. **Rejection of claims 11-14, 17-22, and 24.**

Claims 11-14, 17-22, and 24 stand rejected as anticipated under 35 USC § 102.

Claim 11 is amended to include the subject matter of claim 15, which the Office Action noted recites allowable subject matter. Accordingly, Applicant submits that claim 11 is allowable for at least the same reasons as claim 15 was found to recite allowable subject matter. Withdrawal of the rejection of claim 11 is requested.

Claims 12, 13, and 17 depend upon claim 11 and are allowable for at least the same reasons claim 11 is allowable. Withdrawal of these rejections of these claims is requested.

Claim 14 is cancelled, thus rendering moot the rejection thereof.

Claim 19 is amended to include the subject matter of claim 23, which the Office Action noted recites allowable subject matter. Accordingly, Applicant submits that claim 19 is allowable. Withdrawal of the rejection of claim 19 is requested.

Claims 20, 21, and 24 depend upon claim 19 and are allowable for at least the same reasons claim 19 is allowable. Withdrawal of the rejections of these claims is requested.

II. **Rejection of claims 25-29**

Claims 25-29 stand rejected as anticipated by Kato and Tanaka. Applicants traverse these rejections on the basis that the Office Action fails to establish a prima

Atty. Dkt. No. 100201968-4

facie case of equivalence of the element "means for selectively engaging and disengaging the pinion gear with the idler gear when the shift plate is rotated between the first position and the second position" recited in claim 25.

MPEP 2183 sets forth the requirements for a prima facie case of equivalence of a means-plus-function claim element. In particular, this MPEP section specifies that Examiner provide "rationale in the Office action as to why the prior art element is an equivalent."

Here, the Office Action fails to identify any prior art element that is equivalent to the "means for selectively engaging and disengaging the pinion gear with the idler gear when the shift plate is rotated between the first position and the second position". Consequently, the Office Action also fails to allege equivalence of this means-plus-function element.

Because the Office Action has not identified any prior art element that is equivalent to this means-plus-function element Applicant submits that the Office Action fails to establish prima facie equivalence. Consequently, Applicant requests withdrawal of the rejection of claim 25 on the basis that the prior art does not disclose "means for selectively engaging and disengaging the pinion gear with the idler gear when the shift plate is rotated between the first position and the second position" as recited in claim 25. Withdrawal of this rejection is requested.

Claims 26-29 depend upon claim 25 and are allowable for at least the same reasons claim 25 is allowable. Withdrawal of these rejections is requested.

III. Claim objections

The Office Action objected to claims 15, 16, and 23. Claim 16 is amended to depend upon claim 1. Applicant submits that the objection to claim 16 is overcome. Claims 15 and 23 are cancelled, thus rendering moot the objections thereto.

Atty. Dkt. No. 100201968-4

IV. Conclusion.

Applicants believe that the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

Date 30 JAN. 2006
Hewlett-Packard Company
P.O. Box 272400 M/S 35
Fort Collins CO 80527-2400

By Robert D. Wasson
Robert D. Wasson
Registration No. 40,218
Telephone: 360-212-2338